



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SFUND RECORDS CTR
1042-03945

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SDMS# 69629

March 8, 2000

Elliott Stern, Esq.
Minwax Co., Inc. and Eastman Kodak Company
343 State Street
Rochester, N.Y. 14650-0217

Richard R. Banks
Corporate Environmental Manager
National Semiconductor Corporation
2900 Semiconductor Drive
Mail Stop W-105
Santa Clara, CA 95051

Alex Sampson, Associate General Counsel
Regulatory Affairs National Starch & Chemical Company
Division of Indopco, Inc. a Delaware Corporation
10 Finderne Avenue
Post Office Box 6500
Bridgewater, NJ 08807-0500

Mr. Virgil Duffie
Assistant Secretary
Safety-Kleen "San Jose", Inc.
1301 Gervais Street, Suite 300
Post Office Box 11393(29211)
Columbia, S.C. 29201

Mr. Johnathan Bauer
Hewlett Packard Company
3000 Hanover Street
Mail Stop 5UE
Palo Alto, CA 94304-1112

Mr. Gary Daugherty
Director, Corporate Environmental Engineering
The Scotts Company
41 South High Street
Suite 3500
Columbus Ohio 43215

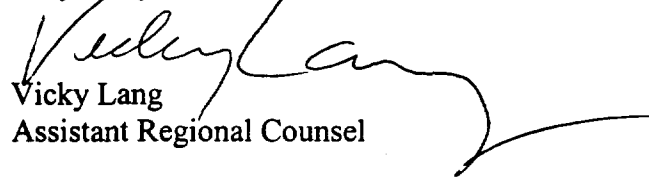
Re: Modification of Administrative Order 92-29

Dear Sirs:

Enclosed for your records, please find a copy of the fully executed Modification of Administrative Order 92-29 (the "Agreement") in the Lorentz Barrel and Drum Superfund Site matter. The United States Environmental Protection Agency ("USEPA") has received payment in full of the \$66,616.52 called form in paragraph 1 of the Agreement. Pursuant to the terms of the Agreement, USEPA has agreed to send no further oversight bills to the Structures Removal Group, as defined in the Agreement, under Administrative Order on Consent 92-49.

Should you have any questions or comments, please feel free to telephone me at (415) 744-1331.

Very Truly Yours,


Vicky Lang
Assistant Regional Counsel

Encl.

cc: Sally Drach, Esq.
McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center
San Francisco, CA 94111-4067

MODIFICATION OF ADMINISTRATIVE ORDER 92-29

Whereas, on or about October 7, 1992, Eastman Kodak Company, Grace Sierra Horticultural Products Company, Hewlett Packard Co., Minwax Company, Inc., National Semiconductor Corp., National Starch and Chemical Corp., and Solvent Service Co., Inc. (collectively the "Structures Removal Group") entered into an Administrative Order on Consent ("Administrative Order 92-29) with the United States Environmental Protection Agency ("USEPA") relating to the Lorentz Barrel and Drum Superfund Site (the "Site"); and,

Whereas, under the terms of the Administrative Order the Structures Removal Group agreed to perform certain removal activities relating to the Site, and agreed to pay oversight costs incurred by the United States with regard to those removal activities; and,

Whereas, on or about April 16, 1999, USEPA caused to be sent a billing to the Structures Removal Group requesting payment of \$66,616.52 in oversight costs (the "Oversight Billing") under the terms of Section VII of the Administrative Order; and,

Whereas, the Structures Removal Group objected to payment of the Oversight Billing; and,

Whereas, Section XVI of the Administrative Order sets forth a procedure for modification of the Administrative Order by the mutual written agreement of the Structures Removal Group and USEPA; and,

Whereas, USEPA agrees that the Oversight Billing will be the final oversight bill sent to the Structures Removal Group under the Administrative Order; and,

Whereas, the Structures Removal Group and USEPA have agreed to settle in good faith the dispute over the Oversight Billing in an effort to avoid expensive and protracted litigation.

NOW, THEREFORE, it is agreed as follows:

1. Pursuant to Section VII of the Administrative Order, the Structures Removal Group agrees to pay the \$66,616.52 Oversight Billing.

2. The Structures Removal Group will make payment of the \$66,616.52 Oversight Billing by check(s) to the USEPA's Hazardous Substance Superfund no later than January 25, 2000. The check(s) and accompanying transmittal letter will reference the identity of the Site and the Superfund identification number of "094N". Payment shall be sent to USEPA Region IX, Attention Superfund Accounting, P.O. Box 360863M, Pittsburgh, Pennsylvania 15251, and a copy of the check(s) and transmittal letter will be sent to Sharon Johnson, USEPA Region IX, 75 Hawthorne Street (SFD-7B), San Francisco, California 94105.

3. USEPA agrees to waive all interest and stipulated penalties which may have accrued or arisen relating to the Oversight Billing.

4. The Structures Removal Group waives its rights to further dispute the oversight billing pursuant to Section IX (Dispute Resolution) of the Administrative Order.

5. This Agreement may be executed in counterparts all of which taken together will constitute one and the same agreement. The undersigned representatives of the Structures Removal Group certify that they are fully authorized to enter into the terms and conditions of this Agreement and to bind the parties they represent to its terms.

IT IS SO AGREED AND ORDERED:

Dated: 3-7-00

United States Environmental Protection Agency
Region IX

By: Keith Takata
Keith Takata, Director
Superfund Division

FOR Eastman Kodak Company

By: _____

Dated: _____

Name: Elliot Stern, Esq.

Title: _____

FOR Grace Sierra Horticultural Products Company, dba Scotts CompanyBy: Robert LucasDated: 1/27/00

Name: Robert Lucas

Title: Vice-President

FOR Hewlett Packard Co.

By: _____

Dated: _____

Name: Jonathan Bauer

Title: Environmental Program Manager

FOR Minwax Co., Inc.

By: _____

Dated: _____

Name: Elliot Stern, Esq.

Title: _____

FOR National Semiconductor Corporation.

By: _____

Dated: _____

Name: Richard Banks

Title: Corporate Environmental Manager

FOR Eastman Kodak Company

By: _____

Dated: _____

Name: Elliot Stern, Esq.

Title: _____

FOR Grace Sierra Horticultural Products Company, dba Scotts Company

By: _____

Dated: _____

Name: Robert Lucas

Title: Vice-President

FOR Hewlett Packard Co.

By: Jonathan Bauer

Dated: 1/29/00

Name: Jonathan Bauer

Title: Environmental Program Manager

FOR Minwax Co., Inc.

By: _____

Dated: _____

Name: Elliot Stern, Esq.

Title: _____

FOR National Semiconductor Corporation.

By: _____

Dated: _____

Name: Richard Banks

Title: Corporate Environmental Manager

FOR Eastman Kodak Company

By: R. Hays Bell

Dated: 1/17/00

Name: R.H. BELL

ed

Title: Vice President & Director Health, Safety, and Environment

FOR Grace Sierra Horticultural Products Company, dba Scotts Company

By: _____

Dated: _____

Name: Robert Lucas

Title: Vice-President

FOR Hewlett Packard Co.

By: _____

Dated: _____

Name: Jonathan Bauer

Title: Environmental Program Manager

FOR Minwax Co., Inc.

By: Joe Gabriel

Dated: 1/17/99

Name: Joe Gabriel

JB

Title: Vice President 360 North Pastoria Environmental Corp

FOR National Semiconductor Corporation.

By: _____

Dated: _____

Name: Richard Banks

Title: Corporate Environmental Manager

FOR Eastman Kodak Company

By: _____

Dated: _____

Name: Elliot Stern, Esq.

Title: _____

FOR Grace Sierra Horticultural Products Company, dba Scotts Company

By: _____

Dated: _____

Name: Robert Lucas

Title: Vice-President

FOR Hewlett Packard Co.

By: _____

Dated: _____

Name: Jonathan Bauer

Title: Environmental Program Manager

FOR Minwax Co., Inc.

By: _____

Dated: _____

Name: Elliot Stern, Esq.


Title: _____

FOR National Semiconductor CorporationBy: Richard R. BanksDated: 1/25/00

Name: Richard Banks

Title: Corporate Environmental Manager

FOR National Starch & Chemical Company, a division of Indopco, Inc., a Delaware corporation

By:  Dated: Jan. 11, 2000

Name: Alex Sampson, Esq.

Title: Associate General Counsel, Regulatory Affairs

FOR Solvent Service Co., Inc., now known as Safety-Kleen "San Jose", Inc.

By: _____ Dated: _____

Name: Virgil Duffie

Title: Assistant Secretary

FOR National Starch & Chemical Company, a division of Indopco, Inc., a Delaware corporation

By: _____ Dated: _____

Name: Alex Sampson, Esq.

Title: Associate General Counsel, Regulatory Affairs

FOR Solvent Service Co., Inc., now known as Safety-Kleen "San Jose", Inc.

By:  Dated: 1/10/99

Name: Virgil Duffie

Title: Assistant Secretary